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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,870	11/16/2001	Nancy Ann Book	P21172	7783

7055 7590 01/20/2004

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RESTON, VA 20191

EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 01/20/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/987,870

Applicant(s)

BOOK ET AL.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKinley, Jr. et al. (U.S. Patent 6,665,377) in view of Yue et al. (U.S. Patent 5,764,747) and further in view of Wheeler Jr. et al. (U.S. Patent 5,583,920).

Regarding claim 1, McKinley, Jr. et al. teach the steps of: receiving call data relating to a call to a subscriber at a telephone number associated with the subscriber terminal (Fig. 1, 110), the call data comprising the subscriber telephone number ("called party's information identified" - col. 2, lines 34-60); the calling party is prompted to select one of leaving a voice message, paging the subscriber and connecting the call to the subscriber terminal (col. 8, lines 8-11); after the calling party chooses an option, completes the call accordingly using any one of the traditionally known methods (col. 8, lines 11-14). However, McKinley, Jr. et al. do not teach the detail steps of what happens when the calling party selects leaving a voice message, paging the subscriber, and connecting the call to the subscriber.

Yue et al. teach ¹⁶route the call to voice mail system (Fig. 3A, 54 and col. 11, lines 13-16); when the calling party selects paging a subscriber, receiving call back

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information (Fig. 3C, 56), disconnecting the call and placing a second call to a paging system that initiates a page to the subscriber (Fig. 3C, 55 and col. 11, lines 17-27).

However, Yue et al. do not teach the detail steps of the calling party selects connection the call to the subscriber terminal.

Wheeler, Jr. et al. teach the caller is required to input a personal identification number (col. 31, lines 30-35 - PIN), when the PIN is authorized, connecting the call to the subscriber, if not connecting the call to the voice mail system (col. 32, lines 3-12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the mentioned above features as taught by Yue et al. and Wheeler, Jr. et al., in McKinley, Jr. et al.'s system, in order to provide subscriber the better service that enables the subscriber to receive message left by the calling party in voice mail at the subscriber's convenience.

Regarding claims 2 and 10, Wheeler, Jr. et al. do not teach storing the activation time period comprising start and stop times; determining whether a time of the call is within at least one activation time period; and when the time of the call is not within the activation time period, connecting the call to the subscriber. It would have been obvious to one of ordinary skill in the art that when the subscriber's service on off or not within the activation time period then connect the call to the subscriber, for example, the called party is not subscribed for the service. There are references that teach the mentioned above features such Brenna et al. (U.S. Patent 5,329,578) teach subscriber's schedule (col. 7, Table 4.0) to determine what action the system should take with the call when

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the caller is normally allowed to reach the subscriber within certain time period, otherwise send the caller to voice messaging system.

Regarding claims 3, 4, 6, 12, 13, and 18, Wheeler, Jr. et al. teach if the PIN is not authorized, execute a voice mailbox of the called party (col. 32, lines 5-7). It would have been obvious to one of ordinary skill in the art to modify the system to connect the call to the voice system when no response to the querying the calling party selects leaving a voice message, paging the subscriber, and connecting the call to the subscriber received, and treating a no response to the querying the calling party to enter the PIN the same as unauthorized PIN response.

Claims 5, 7, and 16 are rejected for the same reasons as discussed above with respect to claims 1 and 2. Furthermore, Wheeler, Jr. et al. teach suspending at a terminating switch (Fig. 1A, 17), the SCP 43, and the intelligent peripheral (IP 35, 37).

Claims 8 and 9 are rejected for the same reasons as discussed above with respect to claims 1 and 5.

Claims 11, 14, 17, and 22 are rejected for the same reasons as discussed above with respect to claim 2. Furthermore, Wheeler, Jr. et al. teach a service management system SMS 41, connectable to the SCP 43, and the ISCP includes a terminal subsystem referred to as a SCE 42.

Claim 15 is rejected for the same reasons as discussed above with respect to claims 1, 5, and 8.

Claims 19-21 are rejected for the same reasons as discussed above with respect to claims 1, 2, and 11.

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Claims 23-26 are rejected for the same reasons as discussed above with respect to claims 1-4. Furthermore, McKinley, Jr. et al. teach a computer readable medium for storing a computer program (Fig. 2, processor, and memory is configured to store instructions to direct the processor to act in accordance with the program code).

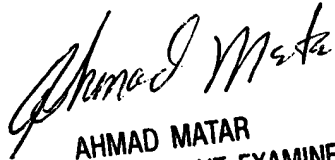
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
January 8, 2004


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600